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### **I oppose the Martins Creek Quarry Expansion.**

It is my assertion that the current submission in 2021 does not rectify nor fully address the issues of the previous submission in 2016. There is a glaring absence of lived experience and the social amenity of all communities impacted by this application.

### **HISTORY**

The SSD 6612 goes against the rulings of the Land and Environment Court in proceedings:  
**NSWLEC 164[2016]**  
**NSWLEC 153 [2018]**  
and the NSW Court of Appeal, Supreme Court:  
**NSWCA 147[2019].**

These judgements ruled that the quarry was an unlawful enterprise and had been operating as such since 1991. It determined that the SSD should use the court findings as the baseline for the operation. Daracon (through their agent Umwelt) have ignored the court orders and selected their own baseline and throughout this whole submission not followed the determinations by various judges in both the Land and Environment Court and Supreme Court.

The premise of this submission is that it is an expansion. If the quarry has been illegal since 1991 then the concept of an expansion is questionable. Even if it accepted that an expansion of the 1991 legal quarry is valid then the baseline should be output of the quarry at that time as determined by the courts.

This is very significant in two areas; firstly, the legality of the decision based on a flawed submission and consequently the second issue is the data provided has no validity due to the incorrect baseline. As indicated by Reed (2016), Daracon were required to provide figures for an expansion of 900 000 tonnes and 1.2M tonnes as part of their submission. Most if not all consultant reports do not comply to the Department of Planning's direction.

**This has become a David and Goliath battle.**

Most of our previous input has been ignored by Daracon and Umwelt. Mr David Mingay, Executive Director of Daracon, is contemptuous, non-conciliatory and has stated at a Public Meeting, when communities of Paterson and Martins Creek expressed their concerns, we should move.

The importance of andesite to the community and state of NSW is heavily overstated. Within the Hunter there are several quarries that have similar if not the same quality of rock. Daracon are establishing the case that Martins Creek Quarry and its product is somehow unique. This is not the case and is quite clearly overstating the importance of Andesite and consequently negates the need of the expansion and increased truck volumes.

Both Lynwood and Peppertree are committed to using rail as their preferred method of transport.

**CURRENT PROPOSAL**

The current proposal by Daracon to expand the quarry operation after Land and Environment Court decisions, as outlined in history, is totally unacceptable and ruled against them. There is no guarantee in this SSD that Daracon will be held accountable for the number of truck movements each day. Who will monitor this? They cannot be trusted.

**HISTORICAL HERITAGE ASSESSMENT IMPACT**

The Historical Heritage Impact Assessment report is inadequate and superficial.

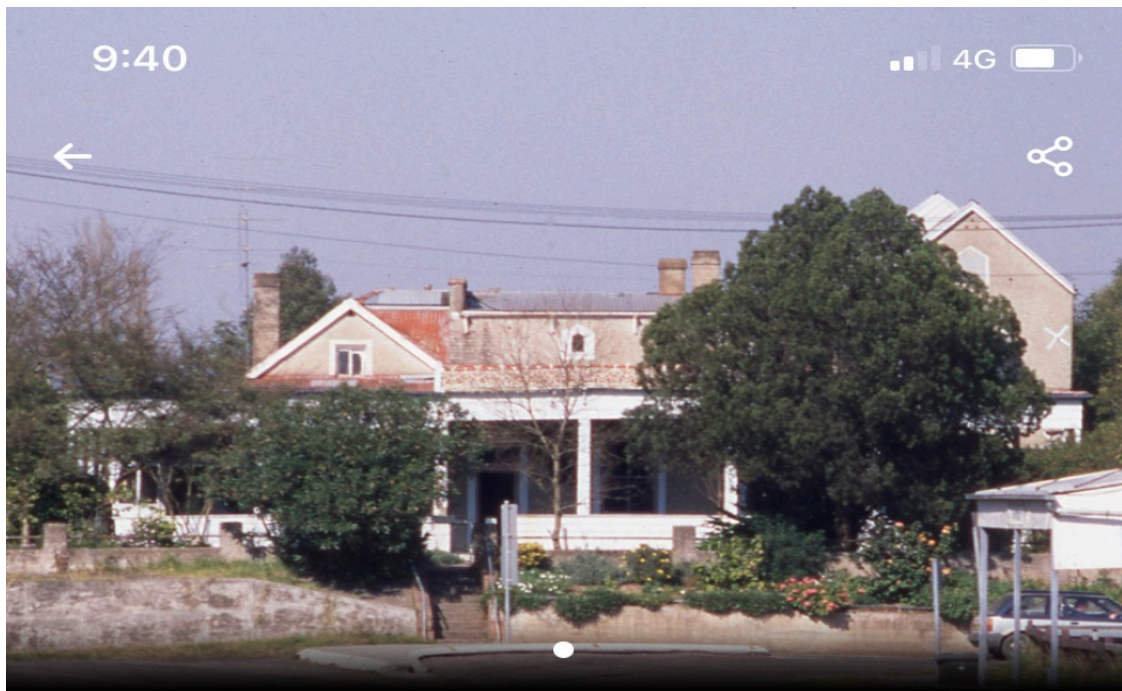
It seems to be a cut and paste from various reports without engaging with the readily available heritage and history of the village and district.

There are errors and omissions in the report such as Hua TSA a historic house in Clarence Town which is 30kms to the east being listed.

The report is padded out with unnecessary information to give the impression of thoroughness. This is demonstrated by the listing of buildings in Maitland well away from the haulage route.

My house, **Sunnyside, which is the oldest recorded dwelling in Paterson** less than 20m from the haulage route is omitted. The following attachment can be found on CYA on the ROAD App – Paterson Historic Walking Tour.

**My house is the most vulnerable and Daracon have omitted to recognise this in their SSD.**



# "Sunnyside"

## Premise

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"Sunnyside" is probably Paterson's oldest surviving building. We believe it contains elements of a store built in the mid 1830s by James Phillips on his Bona Vista property. He sensed a business opportunity and built the store on the corner of his land, next to the boundary of the new village of Paterson (1833). In the early 1840s he added a three-bedroom brick cottage to the store as a residence for his son William who ran the Paterson Post Office from the store while he and his family lived in the adjoining cottage. In the next decade the house was extended significantly and has been modified further since then.

Dr Newbury, a local medical practitioner, owned the house from 1867 to 1881. During his ownership it was named "Woodchester House". As far as we can tell, before and after Newbury it was (and still is)

### **SOCIAL AMENITY**

The social amenity and lived experience of residents, including myself and the impact this expansion will have on our way of life, has the potential of destroying this historic village. The village of Paterson, Tocal Homestead and Tocal College Campus are impacted greatly by truck movements from Martins Creek Quarry. All have businesses which are valued for the ambience of the environment. **This has not been addressed in their SSD.**

The volume of trucks puts enormous pressure on our community through invasion and destruction and Daracon's proposal does not create a place of wellbeing and connection with place.

Umwelt have conducted interviews with residents directly impacted however these have been a tick and flick in my view. this was purely a process to satisfy government department and not related to real community concerns. Daracon only selecting data that suits.

My house, Sunnyside, sits in an elevated position on what is known as the dog leg in Paterson. This has been ignored in the SSD as both a real and potential problem as it is a blind corner. Umwelt are fully aware however, when raised at community meetings, still choose to ignore. (I have attached a photo at the end of this submission showing the corner) Refer photographs number

**Daracon has not addressed the issues raised regarding the volume of trucks passing through Paterson's main business and commercial area and they are abdicating their responsibility by avoiding the issue.** The draft plan by Daracon of new road near Paterson shops and Post Office is a joke. They want to reclaim the road and allow no parking for residents to conduct their day-to-day business. Attempting to make a right-hand turn at this intersection when visiting the Pharmacist and Medical Centre is lethal when trucks are running as they cut the corner when travelling southbound. This is a huge safety issue.

(Refer to photograph number 2)

### **NOISE, VIBRATION AND DUST**

The noise, dust, pollution and intimidation caused through sharing the road network with high volumes of heavy haulage vehicles will diminish our quality of life. Crossing the road and accessing local services can be daunting.

Elevation of our house Sunnyside increases the exhaust noise and dust from uncovered trucks and permeates my verandah and side rooms.

**Recently a dust sample I had kept was sent for analysis with Greencap Laboratories SA, and it appears that on the one textile wipe there is 5% to 20% of silica dust content.** This is a health risk and Daracon have not fully addressed this issue in their SSD.

**How is the department of planning, given the recent rise in silicosis, going to resolve this issue?**

**Result from laboratory testing was as follows:**

The dust consists of off-white and black silt sized particles and fine sand-sized particles. The black particles were removed during the ashing process, indicating they may be carbon base e.g., soot, coal dust, creosote etc. it is suspected that fly ash is present which is toxic. **There is not a single word in the SSD regarding fly ash.**

Information provided then outlines the content of silica as mentioned above. **SSD does not mention Andesite as having high silica content.**

The proposed SSD would see additional truck traffic (280 truck movements per day) which would significantly impact regional air quality along the proposed haul route.

The daily emissions of diesel exhaust from hundreds of gravel trucks generate **nitrogen oxide, sulphur dioxide, carbon monoxide and volatile organic compounds (VOCs)**

**I have sent a separate letter to Minister Stokes regarding the issue of silica.**

**Due to the onslaught of truck movements, my house vibration is significant and have suffered with cracked windows and walls. This evidence was produced in the Land and Environment Court hearing. My property value has decreased as a result.**

**HOW THIS WILL IMPACT ON OUR LIFE IN PATERSON**

Conversation in open areas on my verandah and inside my house is limited due to the crashing, rattling and banging of aluminium truck bodies using compression braking.

The road network has simply failed to keep pace with the rapid increase of vehicles and heavy vehicle movements.

I am unable to use bedrooms on the roadside due to noise and am unable to invite family and friends over when trucks are running. My house is less than 20 meters from the road and the dog leg.

We moved our living room in January 2014 to an internal room so we could have a conversation and watch television. If this volume of trucks is approved, then I will be unable to sit on our veranda or eat in our dining room along the roadside. This is totally unacceptable. How dare Daracon insist noise levels from their trucks are acceptable levels. This is no way to live your life.

**MENTAL HEALTH**

During previous years with an illegal Quarry operation and hundreds of trucks per day rattling through our village, I suffered anxiety, stress and depression. I cried frequently as the noise levels inside my house were intolerable and unacceptable. The damage to my house which was evidence submitted during the court hearings, and further impacted on my health and wellbeing. As a result I have suffered greatly.

Karen Lamb, Social Scientist with Umwelt, **did not accept our lived experience** at Community Meeting held on the 11<sup>th</sup> February, 2021 at Tocal. Ms Lamb has failed to acknowledge our real life or lived experience.

As a community we cannot continue to live as if on a mining site. Communities should not continue to endure the suffering imposed by Daracon. They have complete disregard for all of us and this has been shown by their attitude in all community consultations.

**Daracon's glossy application is so technical they have neglected to focus on what our community asset is and that is our rural lifestyle and heritage. The DPIE need to acknowledge our lived experience.**

### CONCERNS

My concerns are that the Department of Planning will approve such monumental changes without consideration of how this expansion would impact the community and the environment which includes, polluted air and destruction of native vegetation and habitat.

Please note a couple of species that have been questionable have been spotted above the quarry. They are:

- **Eucalyptus glaucina** - listed as vulnerable. A few of these beautiful large-leafed eucalypts inhabit an area surrounding the quarry. This species requires site-based management in order to secure it from extinction in NSW for 100 years. Nothing from Daracon or Umwelt
- **Spot-tailed quoll (*Dasyurus maculatus*)** - listed as endangered (Fed Gov) and Vulnerable (NSW Gov).
- **21 HA OF KNOWN KOALA HABITAT WILL BE BULLDOZED**

A recent public meeting held at Tocal Ag College in June, confirms that surrounding communities in the Maitland City Council Shire have not been approached by Daracon or Umwelt and will be further impacted. A recent approval of the Hanson Quarry at Brandy Hill will impact those residents along the haul route from Bolwarra to East Maitland. There are surely some issues with governance that allows an organisation such as Daracon to assume and apply such power with limited diligence.

What action is the Department of Planning able to enforce as a custodian and protector of our community to ensure compliance with the License and Agreement, as the current proposal is inadequate?

How will Daracon monitor their contractors? Why are Daracon allowed amendments? How can we be certain they will not increase the volume of trucks through this historic village in the future? Does the Department of Planning not value our heritage in NSW? **Paterson provided most of the red cedar to build the mansions and public buildings found in Sydney today and is historically significant.**

Governments seem to ignore the fact that we are real people living in these communities. It appears that money speaks louder than people's lifestyles and health. Cash for comment is certainly alive and kicking and Daracon have been exposed in recent years, in particular the brown paper bag issue with Tim Owen and Jeff McCloy.

**I sincerely hope you find the time to respond and help us reclaim our standard of living**

### **SUMMATION**

The Department of Planning needs to be acutely aware of how the Martins Creek Quarry (MCQ) is impacting the social amenity of our communities. We cannot continue to live our lives as if on a mining site which impacts the social amenity of our communities. Communities do not have to endure the suffering that this community has endured. The current situation is totally unacceptable.

Governments are spending millions to bypass country towns, create expressways and tunnels in cities. It seems illogical to contemplate putting all these trucks onto the road through Paterson when the quarry is on a railway line.

**Data provided by the Department of Planning in a letter dated the 6<sup>th</sup> of December 2016 in response to the first SSD 6612 by author Howard Reed, the then director, outlines key areas that were not addressed or given insufficient attention. This also applies to current proposal from Daracon and Umwelt. Highly flawed.**

**I strongly object to the expansion of the quarry, but if expansion is to occur then the material must be moved by rail.**

## PHOTOGRAPHS

I am attaching a photo of early morning run through Paterson on a quiet morning

### PHOTO 1



### PHOTO 2

PO Corner on left and King St on right. School Bus stop also on left hand side in front of CBC Bank Building corner. To visit the Pharmacist and Medical Centre making a right-hand turn into King St is treacherous.



PHOTO 3

Dog Leg which has been totally ignored by Daracon. My house Sunnyside sits on this corner



Trucks do not have much room to move.



PHOTO 4

This corner is very dangerous, and Umwelt have conducted interviews with my husband and I outside when trucks were running. Daracon have omitted to mention in their SSD.



My house is right on the dog leg and when sitting on verandah can see the top of trucks. Dust collects on my verandah and the house shudders through vibration. Unable to utilise when heavy vehicles are on the road as conversation is restricted. **Umwelt and Daracon refuse to believe this is my lived experience.**

PHOTO 5

View from my front garden. Destroying our way of life.

